

REMARKS

Applicant respectfully requests the Examiner's reconsideration of the present application. Claim 8 has been cancelled. Claims 1, 9, 12, 13, 15, 17, 22, 26, 33, 37, 39 and 46 have been amended. No new claims have been added. Therefore, claims 1-7 and 9-48 are presented for examination.

Examiner Interview Summary

Applicant wishes to thank Examiner Vincent Boccio for the courtesy of telephone conferences on April 28, 2005 and May 10, 2005 with Applicant's attorney, J. Scott Heilesen (Reg. No. 46,765), to discuss aspects of the drawing rejections, as well as Applicant's claims as they relate to the Kanazawa reference. Applicant's present claim and drawing amendments are consistent with the spirit of those discussed in the telephone conference.

Claim Amendments

Applicant has amended the claims to more particularly point out what Applicant regards as their invention. No new matter has been added as a result of these amendments.

Drawings

Applicant has added replacement sheet for Figure 2, and has added Figure 7C. Applicant's amendments to the drawings do not add new matter. In particular, Figure 2 has been amended to include a description associated with server 204 and device 202; Figure 7C illustrates Table 2, which exists in Applicant's Specification at page 16.

Objections to Drawings

The Examiner has objected to the drawings under 37 C.F.R. §1.83(a), as not showing every feature of the invention specified in the claims. Specifically, the Examiner has indicated that the features of claims 3, 5, 7, 10, 19, 24, 37, 41-44 and 48 are not shown in the drawings. Applicant respectfully submits that their best efforts are

IN THE DRAWINGS

Applicant submits herewith a replacement drawing for Figure 2, which is marked as Replacement Sheet. Furthermore, Applicant has amended the drawings to include Figure 7C, which is submitted as a separate sheet with this response. No new matter has been added.

hereby made to accommodate the Examiner's objections, while remaining cognizant of the prohibition against adding new matter.

Regarding the objection to the features of claims 3, 10, 19 and 24, Applicant has amended Figure 2 to illustrate that server 204 is capable of modifying a script which is downloaded to device 202 through a wireless connection.

Regarding the objection to the features of claim 5, Applicant respectfully submits that block 718 of Figure 7B illustrates the claimed feature of displaying video content in synchronization with the markup language page.

Regarding the objection to the features of claim 7, Applicant respectfully submits that the claimed feature that processing of user inputs includes dropping the received user input based on a type of the received user input, is illustrated by block 804 of previously amended Figure 8A.

Regarding the objection to the features of claim 37, Applicant respectfully submits that Table 2, at page 16 of Applicant's Specification, illustrates the claimed table of register values. At the Examiner's request, Applicant has added new Figure 7C, which reproduces Table 2 in its entirety.

Regarding the objection to the features of claim 41, Applicant respectfully submits that Figure 4 illustrates a point of sale capable of collecting user inputs (e.g. through buttons 406). Applicant's description of Figure 4 at page 7 of the Specification elaborates on the device in greater detail.

Regarding the objection to the features of claim 42 and 44, Applicant has amended Figure 2 to illustrate that device 202 is capable of uploading user inputs to server 204.

Regarding the objection to the features of claim 43, Applicant respectfully submits that memory 512 of Figure 5 illustrates memory of the device shown in Figure 4. This memory is capable of storing user inputs collected at a point of sale.

Based on the above discussion and amendments to the drawings, Applicant respectfully requests that the Examiner withdraw the objections to the drawings.

Rejections Under 35 U.S.C. §103(a)

Kanazawa

Claims 1, 5-8, 9, 11-12, 17, 21-22, 26, 30-31, 32, 33, 35, 36, 41-42 and 45-48 stand rejected under 35 U.S.C. §103(a) as being obvious over Kanazawa et al., U.S. Patent No. 6,580,870 ("Kanazawa"). Applicant respectfully submits that the present claims are not rendered obvious by Kanazawa.

Prior to discussing the prior art, a brief description of Applicant's invention will be provided here. Integration of DVD and HTML content is desirable, however each format involves different programming and operating environments. Thus, it can be can be cumbersome for a single development team to develop a device that can handle both formats, as the human programmers would need to be fluent in both formats. Applicant's invention incorporates the use of multiple control modes into a device to provide for easier design and development of the hardware and software for a device that integrates DVD and HTML content. In particular, multimedia content (e.g. DVD video content) and data content (e.g. HTML content) are each controlled by different modes of the device. This dichotomy allows for the design and development of the device to be partially segregated according to their environments. In particular, a first design team fluent in multimedia content development, such as DVD video development, can more easily design and develop the generation of multimedia content within their own control mode. Similarly, a second design team fluent in data content development, such as HTML development, can more easily design and develop the generation of data content with their own control mode. Further, the design of Applicant's device allows for a fluid integration between the different control modes.

Kanazawa discloses a DVD disc storing an information management table and audio/video information ("title information"). The information management table (stored on the DVD disc) identifies Internet web servers, individual streams of the title information, and time information used for controlling display of a Web mark. The Web mark is displayed along with video from the DVD to indicate to a user that a web page relevant to the stream is accessible by clicking on the Web mark. Only after the Web mark is clicked upon by a user, a web page is displayed in a browser portion of a

window, adjacent to the video content (Kanazawa, col. 7, lines 40-45; col. 8, lines 34-40; Figure 19).

Applicant's claim 1, as amended, includes the limitation of "in response to the DVD drive executing a command sequence on the DVD, displaying a first markup language page that includes a first script, the first script to change control of the device from the active video mode to an active text mode." Applicant respectfully submits that Kanazawa does not teach or suggest these limitations.

In the present Office Action, the Examiner has equated Kanazawa's disclosure at col. 16, and Figures 19A and 19B, with Applicant's claimed displaying of a markup language page. Applicant respectfully submits that Kanazawa's display of a "Web mark" at specific times in relation to a stream is not equivalent to Applicant's claimed limitation (as amended) for several reasons.

First, Kanazawa's Web mark is displayed according to a time specified in the information management table, not in response to a DVD drive executing a command sequence, as claimed. Further, Kanazawa's discussion of displaying a web page is limited to instances of the user clicking the Web mark. This is entirely different from Applicant's claimed invention, which displays a markup page in response to a DVD drive executing a command sequence. Thus, Kanazawa does not teach or suggest displaying a markup page as claimed by Applicant.

Second, Kanazawa's Web mark is merely a graphic, not a markup language page including a script. This is further evidenced by the fact that Kanazawa's Web mark is used to access a web page (Kanazawa, col. 16, lines 15-17); the Web mark is not a web page itself. Therefore, since the Web mark is not a markup language page including a script, the Web mark cannot be equated with Applicant's claimed limitation, which displays a markup page in response to a DVD drive executing a command sequence.

In addition, even if, *arguendo*, Kanazawa's Web mark could be properly interpreted as being a markup language page, the Web mark is still not equivalent to Applicant's claimed markup language page, since the Web mark is not disclosed as including a script to change control of the device from the active video mode to an

active text mode. At best, the Web mark could be a graphic with a link to a URL; Kanazawa makes no suggestion that the Web mark includes a script, let alone a script to change control modes. Further, Applicant notes the amended claim limitations which describe the differing functions of user inputs in each of the control modes; Kanazawa does not teach or suggest these limitations either. Finally, Applicant respectfully notes that the Examiner's reference to the scripting at col. 20, lines 1-16. However, this portion of Kanazawa discusses an HTML script to reproduce DVD video; the script does not teach or suggest changing control of the device from the active video mode to an active text mode, as claimed by Applicant.

To summarize, Kanazawa displays web pages in response to a user clicking a Web mark; in contrast, Applicant's claimed invention displays markup pages in response to a DVD drive executing a command sequence. Accordingly, Applicant respectfully submits that independent claim 1, as amended, is not rendered obvious by Kanazawa.

Independent claims 9, 17, 22, 26 and 33 have been amended to include limitations similar to those discussed above with respect to independent claim 1. Thus, for at least the reasons discussed above for claim 1, independent claims 9, 17, 22, 26 and 33, as amended, are also not rendered obvious by Kanazawa. Therefore, Applicant respectfully submits that independent claims 1, 9, 17, 22, 26 and 33, and claims 5-7, 11-12, 21, 30-31, 32, 35, 36, 41-42 and 45-48 that depend from them, are patentable over Kanazawa, and requests the withdrawal of the rejection of the claims under 35 U.S.C. §103(a).

Kanazawa in view of Gerba

Claims 13-14, 15, 37, 39 and 43-46 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kanazawa, U.S. Patent No. 6,580,870 ("Kanazawa") in view of Gerba et al., U.S. Patent No. 5,931,908 ("Gerba"). Applicant respectfully submits that the present claims are patentable over the combination of Kanazawa and Gerba.

Gerba discloses linking real-time data with audiovisual content to allow a user to make selections and execute functions interactively through a display. An interface

includes visual indicators (overlays), which appear over the program shown to the viewer during an actionable event to indicate where selectable screen areas are located. For example, a certain object appearing on the screen may be highlighted in a certain transparent color to indicate to the user that the object may be selected with a cursor to perform an overlay function while the object is highlighted. One such overlay function allows the user to connect to a world-wide web site containing information related to an actionable event in the programming being presented. A table, shown in Figure 3, lists addresses of the calls for an overlay function set and interface data associated with each actionable event in a program. The table is used for synchronization of the actionable events in relation to the programming.

Claim 13, as amended, includes the limitation of in response to the executing the command sequence, displaying the markup language content. For at least the reasons discussed above, Kanazawa does not teach or suggest this limitation. Applicant further submits that Gerba also does not teach or suggest this limitation. Gerba does not teach or suggest that the overlays are markup language. Rather, Gerba merely discloses that a user may click on a highlighted object of the overlay to subsequently access the world-wide web. Thus, Gerba requires a user action to access the world-wide web. In contrast, Applicant claims displaying markup language content in response to executing a command sequence. Accordingly, Applicant respectfully submits that claim 13, as amended, is not rendered obvious by the combination of Kanazawa and Gerba.

Independent claims 15, 37 and 39 have been amended to include limitations similar to those discussed above with respect to independent claim 13. Thus, for at least the reasons discussed above for claim 1, independent claims 15, 37 and 39, as amended, are also not rendered obvious by Kanazawa. Therefore, Applicant respectfully submits that independent claims 13, 15, 37 and 39, and claims 14 and 43-46 that depend from them, are patentable over the combination of Kanazawa and Gerba, and requests the withdrawal of the rejection of the claims under 35 U.S.C. §103(a).

Kanazawa in view of Lyons

Claims 4, 7, 10, 18-19, 23-24, 29, 32 and 34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kanazawa, U.S. Patent No. 6,580,870 ("Kanazawa") in view of Lyons et al., U.S. Patent No. 5,623,656 ("Lyons"). Applicant respectfully submits that the present claims are patentable over the combination of Kanazawa and Lyons.

Lyons discloses a script-based data communications system. Information regarding a previous state of the system is embedded within script data. An HTML-D script may be retrieved from a script file memory on a data server, and transmitted to a client computer.

Claims 4, 7, 10, 18-19, 23-24, 29, 32 and 34 depend from independent claims 1, 9, 17, 22, 26 and 33. Independent claims 1, 9, 17, 22, 26 and 33 include the limitation of, in response to the DVD drive executing a command sequence on the DVD, displaying a markup language page that includes a script, the script to change control of the device from the active video mode to an active text mode. As discussed above, Applicant respectfully submits that Kanazawa does not teach or suggest these limitations. Applicant further submits that Lyons does not teach or suggest these limitations. Instead, Lyons is directed to transmitting a script from a server to a client, and does not teach or suggest displaying a markup language page that includes a script in response to the DVD drive executing a command sequence on the DVD.

Accordingly, Applicant respectfully submits that claims 4, 7, 10, 18-19, 23-24, 29, 32 and 34 are patentable over the combination of Kanazawa and Lyons, and requests the withdrawal of the rejection of the claims under 35 U.S.C. §103(a).

Kanazawa in view of Humpleman

Claims 2, 20, 25 and 27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kanazawa, U.S. Patent No. 6,580,870 ("Kanazawa") in view of Humpleman et al., U.S. Patent No. 6,288,716 ("Humpleman"). Applicant respectfully submits that the present claims are patentable over the combination of Kanazawa and Humpleman.

Humpleman discloses controlling diverse home devices through a browser based home network. The home devices, such as a DVD player, are connected to the home network. Each home device includes contains data (e.g. HTML, XML, JAVA, JAVASCRIPT, GIF, JPEG, graphics files) that provides an interface for the commanding and controlling of the home device over the home network. In certain embodiments, each home device contains one or more Hypertext Markup Language (HTML) pages. The home network employs Internet standards to render the HTML pages to provide a plurality of graphical user interfaces ("GUIs") for commanding and controlling each home devices (e.g. page 902 in Fig. 11).

Claims 2, 20, 25 and 27 depend from independent claims 1, 17, 22 and 26. Independent claims 1, 17, 22 and 26 include the limitation of, in response to the DVD drive executing a command sequence on the DVD, displaying a markup language page that includes a script, the script to change control of the device from the active video mode to an active text mode. As discussed above, Applicant respectfully submits that Kanazawa does not teach or suggest these limitations. Applicant further submits that Humpleman does not teach or suggest these limitations. Humpleman is directed to a web page controlling a DVD player. In contrast, Applicant claims displaying a markup language page in response to a DVD drive executing a command sequence. Furthermore, Humpleman does not teach or suggest a displaying a markup language that includes a script to change control of a device from the active video mode to an active text mode, as claimed.

Accordingly, Applicant respectfully submits that claims 2, 20, 25 and 27 are patentable over the combination of Kanazawa and Humpleman, and requests the withdrawal of the rejection of the claims under 35 U.S.C. §103(a).

Kanazawa in view of Humpleman and Lyons

Claims 3 and 28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over a combination of Kanazawa, U.S. Patent No. 6,580,870 ("Kanazawa") and Humpleman et al. U.S. Patent No. 6,288,716 (Humpleman) in view of Lyons et al., U.S.

Patent No. 5,623,656 ("Lyons"). Applicant respectfully submits that the present claims are patentable over the combination of Kanazawa, Humpleman and Lyons.

Claims 3 and 28 depend from independent claims 1 and 26. Independent claims 1 and 26 include the limitation of, in response to the DVD drive executing a command sequence on the DVD, displaying a markup language page that includes a script, the script to change control of the device from the active video mode to an active text mode. As discussed above, Applicant respectfully submits that neither Kanazawa, Humpleman, nor Lyons, alone or in combination, teach or suggest Applicant's claimed limitations. Accordingly, Applicant respectfully submits that claims 3 and 28 are patentable over the combination of Kanazawa, Humpleman and Lyon, and requests the withdrawal of the rejection of the claims under 35 U.S.C. §103(a).

Kanazawa in view of Gerba and Lyons

Claims 16, 38 and 40 stand rejected under 35 U.S.C. §103(a) as being unpatentable over a combination of Kanazawa, U.S. Patent No. 6,580,870 ("Kanazawa") and Gerba et al. U.S. Patent No. 5,931,908 (Gerba) in view of Lyons et al., U.S. Patent No. 5,623,656 ("Lyons"). Applicant respectfully submits that the present claims are patentable over the combination of Kanazawa, Gerba and Lyons.

Claims 16, 38 and 40 depend from independent claims 15, 37 and 39. Independent claims 15, 37 and 39 include the limitation of in response to the executing the command sequence, displaying the markup language content. As discussed above, Applicant respectfully submits that neither Kanazawa, Gerba, nor Lyons, alone or in combination, teach or suggest Applicant's claimed limitations. Accordingly, Applicant respectfully submits that claims 16, 38 and 40 are patentable over the combination of Kanazawa, Gerba and Lyon, and requests the withdrawal of the rejection of the claims under 35 U.S.C. §103(a).

Conclusion

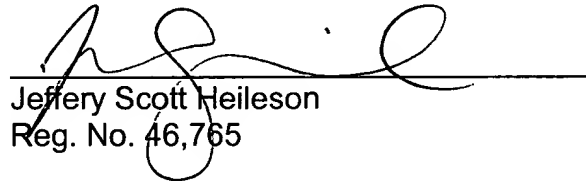
Applicant respectfully submits that in view of the amendments and discussion set forth herein, the applicable rejections have been overcome and the pending claims are in condition for allowance.

If the Examiner determines the prompt allowance of the claims could be facilitated by a telephone conference, the Examiner is invited to contact **Dan DeVos** at (408) 720-8300.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 5/10, 2005


Jeffery Scott Heilesen
Reg. No. 46,765

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025
(408) 720-8300